

Message Text

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ORIGIN L-03

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FM SECSTATE WASHDC
TO AMEMBASSY TOKYO IMMEDIATE

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E.O. 11652: N/A

TAGS: PDIP

SUBJECT: EXTRADITION TREATY SIGNING CEREMONY

1. AT SIGNING CEREMONY FOR U.S.-JAPAN EXTRADITION TREATY,
AMBASSADOR MAY WANT TO DRAW ON FOLLOWING POINTS FOR ANY
STATEMENT THAT MAY BE MADE.

1) THE TREATY SIGNED TODAY WILL REPLACE AN EXTRADITION
AGREEMENT BETWEEN OUR COUNTRIES THAT IS ALMOST 100 YEARS OLD.

2) THIS NEW TREATY MARKS ANOTHER IMPORTANT STEP IN THE CON-
TINUED COOPERATION BETWEEN THE U.S. AND THE GOJ IN THE AREA
OF INTERNATIONAL LAW ENFORCEMENT.

3) THE INTERNATIONAL NATURE OF CRIMINAL ACTIVITY WHICH
ADVERSELY AFFECTS THE INTERESTS OF OUR TWO STATES REQUIRES
THAT PROCEDURES DESIGNED TO CURB SUCH ACTIVITY ARE UP-TO-
DATE AND COMPREHENSIVE IN SCOPE.

4) THIS NEW TREATY MEETS THESE TWO CRITERIA. MUCH CARE WAS
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TAKEN DURING THE NEGOTIATIONS TO ENSURE THAT EXTRADITION
PROCEDURES CONFORM TO THE LEGAL REQUIREMENTS OF BOTH THE
UNITED STATES AND JAPAN. DETAILED DISCUSSIONS WERE HELD
BETWEEN GOVERNMENT PROSECUTORS ON BOTH SIDES IN AN EFFORT TO

MAKE THE NEW TREATY REFLECT THE SPECIAL LEGAL REQUIREMENTS
OF THE UNITED STATES AND JAPAN.

5) MOREOVER, THE TREATY IS THE MOST COMPREHENSIVE IN SCOPE EVER SIGNED BY THE UNITED STATES. FORTY-SEVEN EXTRADITABLE OFFENSES ARE LISTED, INCLUDING BRIBERY, HIJACKING OBSTRUCTION OF JUSTICE, AND NARCOTICS RELATED CRIMES. IN ADDITION THE TREATY PROVIDES FOR THE EXTRADITION OF FUGITIVES FOR ANY OFFENSE, WHETHER OR NOT LISTED IN THE SCHEDULE OF OFFENSES, IF THE OFFENSE IS PUNISHABLE BY DEATH, BY LIFE IMPRISONMENT, OR BY DEPRIVATION OF LIBERTY FOR A PERIOD OF MORE THAN ONE YEAR WHEN THAT OFFENSE IS PUNISHABLE BY THE LAWS OF JAPAN AND IS A FELONY UNDER THE FEDERAL LAW OF THE UNITED STATES. THIS PROVISION IS DESIGNED TO ENSURE THAT ACTIVITIES NOT NOW CONSIDERED CRIMINAL (AND THEREFORE NOT LISTED IN THE SCHEDULE) BUT WHICH MAY BECOME CRIMINAL IN THE FUTURE WILL BE EXTRADITABLE OFFENSES. THIS SIGNIFICANT FEATURE WILL ENSURE THAT THE TREATY REMAINS AN UP-TO-DATE INSTRUMENT TO DEAL WITH INTERNATIONAL CRIMINAL LAW PROBLEMS.

6) THE USG IS VERY PLEASED THAT NEGOTIATIONS FOR THIS NEW TREATY PROCEEDED SO SMOOTHLY. DURING THE FIRST ROUND OF NEGOTIATIONS IN TOKYO LAST MARCH AGREEMENT IN PRINCIPLE WAS REACHED ON A NUMBER OF AREAS. AT THE SESSION IN JULY IN WASHINGTON WE WERE ABLE TO REACH AGREEMENT ON A DRAFT TEXT. SINCE JULY THE TWO SIDES HAVE WORKED CLOSELY TO POLISH AND REFINED THE TEXT SO THAT WE NOW, IN OUR VIEW, UNCLASSIFIED

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HAVE A FINE AGREEMENT.

7) THE USG WOULD LIKE TO THANK THE INDIVIDUAL MEMBERS OF THE GOJ WHO PARTICIPATED IN THE NEGOTIATIONS OF THIS AGREEMENT, AND WE WOULD LIKE TO EXPRESS OUR APPRECIATION TO THE GOJ FOR THEIR OVERALL COOPERATION IN THIS ENDEAVOUR.

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